



Handwritten: #7 1/23/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of JUL 18 2003 Confirmation No. 4563

Raymond C. Crippen

Group Art Unit: 1755

Application Serial No. 10/042,283

Examiner: Patricia L. Hailey

Filed: January 11, 2002

For: ACTIVATED CHARCOAL BASED COMPOSITION AND METHOD FOR REDUCING
HANGOVER SYMPTOMS ASSOCIATED WITH THE CONSUMPTION OF ALCOHOL
CONTAINING BEVERAGES

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DECLARATION UNDER 37 C.F.R. §1.132

Hon. Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

I, Thomas F. Morse, President of Innovation Ventures, L.L.C., do hereby declare as follows:

1. I am a co-founder of Innovation Ventures, L.L.C., currently doing business under the name Living Essentials. This corporation was founded in June 2000 and I have served as the President since June 2000.

2. I am a co-inventor of US Application Serial Number 10/042,283.

3. I have read and understood the objections raised by the Examiner in Office Action mailed March 31, 2003 (Paper No. 4).

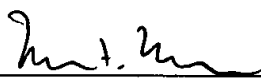
4. I have read and understood the publication cited by the Examiner in paragraph number 5 of the March 31, 2003, Office Action which, to the best of my knowledge, appears to be a printed version of portions of our website.

5. Although this document does mention that Chaser "has been taken by people for five years" this statement refers only to non-public uses. Specifically, people took Chaser during this period for experimental purposes, e.g., to evaluate its safety and efficacy.

6. Chaser was not sold or used publicly until after January 12, 2001.

7. I declare that all statements made herein are of my own knowledge or belief and, to the best of my knowledge, are true. I am also aware that willful false statements are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that willful false statements may jeopardize the validity of the application and any patent issuing thereon.

Date: 7-10-03



Thomas F. Morse
President, Innovation Ventures, L.L.C.